

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

PHARMASTEM THERAPEUTICS, INC.,  
a Delaware corporation,

Plaintiff,

CASE NO. 8:04-cv-1740-T-30TBW

v.

CRYO-CELL INTERNATIONAL, INC., a  
Delaware corporation, BRUCE ZAFRAN, MD,  
an individual,

Defendants.

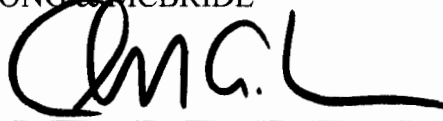
**NOTICE OF PENDENCY OF OTHER ACTION**

Plaintiff, PharmaStem Therapeutics, Inc. ("Plaintiff" or "PharmaStem") hereby submits this Notice of Pendency of Other Action. On February 22, 2002, PharmaStem filed a patent litigation against defendant Cryo-Cell International, Inc. ("Cryo-Cell") in the United States District Court for the District of Delaware, asserting two patents. Cryo-Cell was one of eight defendants in that case, entitled *PharmaStem Therapeutics, Inc. v. ViaCell, Inc. et al.*, Case No. 02-148 GMS (the "Delaware Action"). The Delaware Action proceeded to trial and the jury returned a verdict of willful infringement, no invalidity, and no enforceability, which was filed on October 30, 2003. A copy of the judgment is attached hereto as Exhibit 1.

The patents involved in the Delaware action are related to U.S. Patent No. 6,461,645 B1 and 6,569,427 B1, the two patents asserted in the above-referenced case, as they are from the same family of patents.

Respectfully submitted,

BARNETT, BOLT, KIRKWOOD,  
LONG & MCBRIDE



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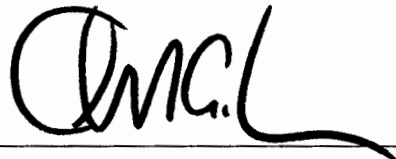
and

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Co-Counsel for PharmaStem Therapeutics, Inc.

**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing was personally served on Defendant, at the time of service of the Summons and Complaint in this matter.



Attorney